

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Luke Michael Churchill

Docket No. 7:06-CR-100-1FL

Petition for Action on Supervised Release

COMES NOW John A. Cooper, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Luke Michael Churchill, who, upon an earlier plea of guilty to 18 U.S.C. §2252(a)(4)(B), Possession of Child Pornography, was sentenced by the Honorable Louise W. Flanagan, U.S. District Judge, on October 16, 2007, to the custody of the Bureau of Prisons for a term of 95 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 15 years.

Luke Michael Churchill was released from custody on September 10, 2013, at which time the term of supervised release commenced. On July 15, 2016, the probation office submitted a Petition for Action on Supervised Release to amend the conditions imposed by the court at sentencing wherein specific conditions pertaining to his offense were imposed in lieu of a group of conditions contained in the NCE Sex Offender Program.

One of the special conditions imposed was that the defendant shall not associate or have verbal, written, telephonic, or electronic communication with any person under the age of eighteen (18), except: 1) in the presence of the parent or legal guardian of said minor: (2) on the condition that the defendant notifies the parent or legal guardian of the defendant's conviction or prior history: and (3) with specific, written approval from the U.S. Probation Officer. This provision does not encompass persons under the age of eighteen with whom the defendant must deal in order to obtain ordinary and usual commercial services (e.g. waiters, cahiers, ticket vendors, etc.).

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

Luke Churchill has been fully compliant with all conditions imposed since his release. He has earned a college degree and is employed as an engineer. He is participating in sex offender therapy and has successfully passed all polygraph examinations administered to him. In 2016, he met his girlfriend and is now engaged. They have one child together and she is the mother of three minor children from a previous marriage. Since they met, we have closely monitored his contact with the minor children and he was never found to be alone or engaged in any inappropriate conduct with the children. They recently purchased a house together and she is enrolled in school to obtain a nursing degree. As such, she has requested our office allow Mr. Churchill be with their child and her children unsupervised while she attends school. We have consulted with his sex offender therapist and she is not opposed him doing so as long as he is only with their child and her children. As such, we are requesting the court amend the condition imposed and allow Churchill to be unsupervised with his biological child, and his fiance's 3 children.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

The defendant shall be allowed to be with his biological child, and his fiancé's children unsupervised.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Robert L. Thornton
Robert L. Thornton
Supervising U.S. Probation Officer

/s/ John A. Cooper
John A. Cooper
U.S. Probation Officer
2 Princess Street, Suite 308
Wilmington, NC 28401-3958
Phone: 910-679-2046
Executed On: February 23, 2018

ORDER OF THE COURT

Considered and ordered this 20th day of March, 2018, and ordered filed and
made a part of the records in the above case.



Louise W. Flanagan
U.S. District Judge